

Congress of the United States
Washington, DC 20510

August 24, 2016

Administrator Gina McCarthy
Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Dear Administrator McCarthy:

Both the Arkansas and Oklahoma delegations remain interested in the progress being made regarding water quality within the Illinois River Watershed. Monitoring in Arkansas and Oklahoma provides strong scientific evidence that excess nutrient levels continue to fall, as numerous investments kick-in to reduce phosphorous loading. However, there is still work to be done and the two states are engaged in a productive joint study of phosphorous levels in the watershed to ensure the most accurate and appropriate phosphorus standard is applied going forward. We write to urge the EPA to renew its commitment to work cooperatively with state agencies, tribes, and the many other diverse stakeholders who share an interest in the Illinois River. In particular, we write regarding the status of the EPA's Project for Water Quality Modeling and TMDL Development for the Illinois River Watershed.

The Clean Water Act's TMDL process can serve as one mechanism to define the work that remains to be accomplished, but only if that process is scientifically sound and guided by the states that will ultimately have to manage its outcomes. The EPA has made assurances that states, tribes, and other stakeholders are a part of the process and that EPA will make future deliverables and the model available for review at key points in the project before the model is finalized. The input and buy-in of watershed stakeholders is a crucial part of the process as many of them have borne and will continue to bear the responsibility and cost of reducing phosphorus levels in the Illinois River watershed.

Last year, the EPA announced that it "is making available the Illinois River Watershed Modeling Program." The announcement continued that "EPA has completed its internal calibration and validation of both model's operating systems, and has completed an independent peer review of the Modeling Program." Based on input we've received from our constituents, we're concerned at this point that the models developed to form the basis of the TMDL are flawed and unsuitable for the high stakes decisions that must be made in our respective states. We recognize that the EPA has been working with both states to address the concerns that have been raised and it is our hope that internal calibration and validation of the models' operating systems will not be completed prior to full consideration of comments and feedback received following the release of the Modeling Program. EPA Region 6 and the contractor must have the full resources necessary to reopen, recalibrate, and revalidate the models in response to comments, including significant science-based feedback, that have been provided to the agency.

Accordingly, we would like to receive a thorough written response in order to get an update from EPA on its plans to rectify what we currently understand is a flawed process. Included in this update, we would like to know what EPA is doing to address the mutual concerns raised by both of our states, EPA's plans for finalizing its models and soliciting additional stakeholder input prior to

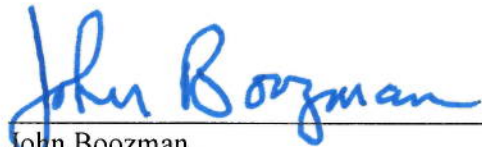
utilizing the models for TMDL development, the proposed process for including the states and stakeholders in assigning load reductions and other measures within the TMDL development process, and EPA's proposed timeline for accomplishing all these tasks.

It's important to reiterate that due to ongoing efforts, notable water quality improvements are continuing in the absence of TMDLs and additional regulations. These significant decreases in phosphorous loads are because communities and landowners in Arkansas and Oklahoma have made significant investments in water infrastructure, nutrient management plans, and volunteer efforts through community-supported non-profit groups like the Illinois River Watershed Partnership.

We believe a great deal more phosphorus will be removed from the watershed in the future, but only through the cooperative efforts of the states and watershed stakeholders. Finalizing TMDLs or other regulatory measures without addressing the significant concerns raised by the states or enlisting the help and support of watershed stakeholders could easily undermine all the great progress made to-date. It is only through sound science supported by the experts within our state environmental agencies and reasonable controls supported by our communities and industries that we will continue to make significant progress in improving water quality in our shared watershed.

Thank you for your attention to this letter. We request that you act upon the concerns we have raised and provide a thorough written response to address these concerns and requests as quickly as possible. Please do not hesitate to contact us with any questions or concerns you may have.

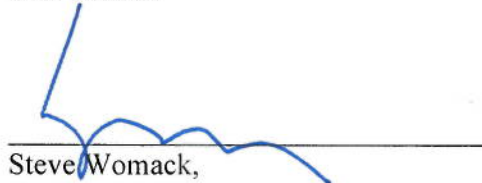
Sincerely,



John Boozman,
U.S. Senator



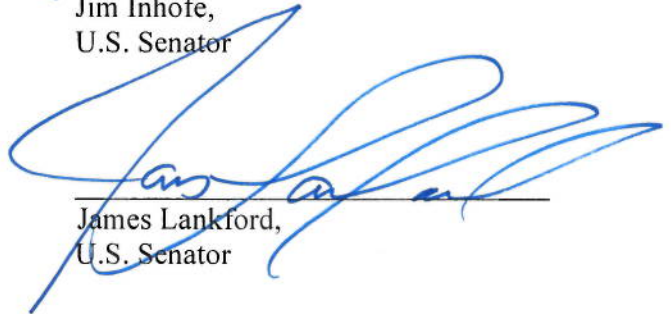
Tom Cotton,
U.S. Senator



Steve Womack,
Member of Congress



Jim Inhofe,
U.S. Senator



James Lankford,
U.S. Senator



Markwayne Mullin,
Member of Congress